

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CITY OF SEATTLE,

Plaintiff,

v.

MONSANTO COMPANY, et al.,

Defendants.

No. 2:16-cv-00107-RSL

JOINT MOTION TO REVISE
SCHEDULING ORDER

NOTE ON MOTION CALENDAR:
April 20, 2021

Plaintiff, the City of Seattle, and Defendants, Monsanto Company et al. (collectively, the “Parties”) respectfully submit this joint motion to revise the scheduling order. The Parties are in agreement that litigation delays stemming from the COVID-19 pandemic and scheduling conflicts arising from an upcoming trial involving the same counsel in a related matter in state court in Oregon make necessary a revised schedule for the completion of fact and expert discovery, as well as the corresponding trial date. The Court last revised the scheduling order, based on the Parties’ joint request, on August 3, 2020.

The parties respectfully ask that the Court enter the below scheduling order.

Deadline	Current Schedule	Parties' Proposed Amended Schedule
Parties to complete document production in response to requests for production served as of March 19, 2021; amended pleadings filed	5/14/2021	6/14/2021
Fact witness and Rule 30(b)(6) depositions complete; Written discovery complete		8/12/2021
Reports from expert witnesses under FRCP 26(a)(2) due	6/18/2021	9/16/2021
Rebuttal expert witness reports due ¹		12/16/2021
Expert discovery completed by	9/3/2021	3/30/2022
Settlement conference held no later than	10/1/2021	4/15/2022
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)(3)). <i>Daubert</i> motions due (see LCR 16(b)(4)).	10/7/2021	4/22/2022
All motions in limine must be filed by and noted on the motion calendar no earlier than the second Friday thereafter. Replies will be accepted.	12/2/2021	6/3/2022
Deposition designations due.		6/3/2022
Objections to deposition designations and counter designations due		7/1/2022
Agreed pretrial order due; Pretrial conference to be scheduled by the Court	1/28/2022	7/29/2022
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	2/11/2022	8/12/2022
Objections to trial exhibits due		8/19/2022
Trial Date (parties do not agree on the likely length of trial) Plaintiff's estimate: 3 weeks Defendants' estimate: 8-12 weeks	3/7/2022	9/12/2022 [based on Court's availability]

¹ The parties propose this delay in the otherwise expected exchange of expert reports because the same counsel and law firms representing Plaintiff here, and the same counsel and law firms representing Defendants here, also represent parties in a similar action that is set for trial in Multnomah County, Oregon from October 4 – November 12, 2021.

PRESENTED this 20th day of April 2021.

KELLER ROHRBACK L.L.P.

By: s/ Lynn L. Sarko
By: s/ Michael D. Woerner
By: s/ Amy Williams-Derry
By: s/ Daniel P. Mensher
By: s/ Elizabeth A. Leland
By: s/ Alison S. Gaffney
By: s/ Rachel E. Morowitz
By: s/ Adele A. Daniel

Lynn L. Sarko, WSBA 16569
Michael D. Woerner, WSBA #15452
Amy Williams-Derry, WSBA #28711
Daniel P. Mensher, WSBA #47719
Elizabeth A. Leland, WSBA #23433
Allison S. Gaffney, WSBA #45565
Rachel E. Morowitz, WSBA #53371
Adele A. Daniel, WSBA #53315
1201 Third Avenue, Suite 3200
Seattle, WA 98101
Telephone: (206) 623-1900
Fax: (206) 623-3384
Email: lsarko@kellerrohrback.com
Email: mwoerner@kellerrohrback.com
Email: awilliams-derry@kellerrohrback.com
Email: dmensher@kellerrohrback.com
Email: bleland@kellerrohrback.com
Email: agaffney@kellerrohrback.com
Email: rmorowitz@kellerrohrback.com
Email: adaniel@kellerrohrback.com

OFFICE OF THE CITY ATTORNEY

By: s/ Laura B. Wishik
By: s/ Peter S. Holmes
Peter S. Holmes, WSBA #15787
Laura B. Wishik, WSBA #16682
Office of the City Attorney
701 Fifth Avenue, Suite 2010
Seattle, WA 98104-7097
Phone: 206.684.8200
Email: Laura.Wishik@seattle.gov

Attorneys for Plaintiff City of Seattle

SCHWABE WILLIAMSON & WYATT

By: s/ Jennifer L. Campbell
Jennifer L. Campbell, WSBA No. 31703
Connie Sue M. Martin, WSBA No. 26525
1420 5th Avenue, Suite 3400
Seattle, WA 98101
Phone: (206) 622-1711
Email: jcampbell@schwabe.com
csmartin@schwabe.com

CAPES SOKOL

Adam E. Miller, Bar No. 40945
(Admitted Pro Hac Vice)
Lisa N. DeBord, Bar No. 61658
(Admitted Pro Hac Vice)
8182 Maryland Avenue, Fifteenth Floor
St. Louis, MO 63105
Phone: 314.721.7701
Email: miller@capessokol.com
debord@capessokol.com

KING & SPALDING LLP

Donald F. Zimmer, CSBA No. 34371
(Admitted Pro Hac Vice)
Nicholas D. Kayhan, CSBA No. 129878
(Admitted Pro Hac Vice)
Megan Nishikawa, CSBA No. 271670
(Admitted Pro Hac Vice)
101 Second Street, Suite 2300
San Francisco, CA 94105
Phone: (415) 318-1200
Email: FZimmer@kslaw.com
NKayhan@kslaw.com
MNishikawa@kslaw.com

LATHAM & WATKINS LLP

Robert M. Howard, CSBA No. 145870
(Admitted Pro Hac Vice)
Kelly E. Richardson, CSBA No. 210511
(Admitted Pro Hac Vice)

12670 High Bluff Drive
 San Diego, California 92130
 Phone: (858) 523-5400
 Emails: robert.howard@lw.com
 kelly.richardson@lw.com
 andrea.hogan@lw.com

SHOOK HARDY & BACON LLP

Richard Campbell, Bar No. 663934
 (Admitted Pro Hac Vice)
 125 Summer Street, Suite 1220
 Boston, MA 02110
 Phone: (617) 531-1671
 Email: rcampbell@shb.com

SHOOK HARDY & BACON LLP

Thomas M. Goutman, Br No. 60236
 2001 Market Street, Suite 3000
 Philadelphia, PA 19103
 Phone: (215) 575-3136
 Email: tgoutman@shb.com

*Attorneys for Defendants Monsanto Company,
 Solutia Inc., and Pharmacia LLC*

[PROPOSED] ORDER

IT IS SO ORDERED. The Court enters the following scheduling order:

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DATED: _____

Robert S. Lasnik
United States District Court Judge